

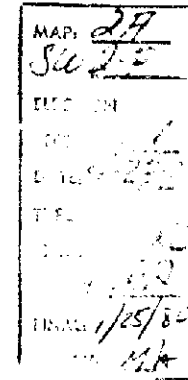
# PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R. 5.5 zone to a B.L. zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Not Applicable

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Not Applicable



Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:	Legal Owner(s):
<u>Not Applicable</u> (Type or Print Name)	<u>DAVID SCHOCHET</u> (Type or Print Name)
Signature	Signature
Street or Box	<u>GOLDIA SYLVIA SCHOCHET</u> (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	5615 Highgate Road
<u>John B. Howard</u> (Type or Print Name)	Street or Box
Signature	<u>Baltimore, Maryland 21215</u>
<u>210 Allegheny Avenue</u>	City and State
Street or Box	Name and telephone number of legal owner, con-
<u>Towson, Maryland 21204</u>	tract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.: <u>823-4111</u>	<u>747-7217</u>
	Telephone No.

DAVID & GOLDIA S. SCHOCHET  
NW cor. Winters Lane  
& Edmondson Avenue  
1st Dist.

R-80-67

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
from D.R. 5.5 to B.L.  
NW/C Edmondson Ave. & Winters La.  
1st District : OF BALTIMORE COUNTY

DAVID SCHOCHET, et ux, Petitioners : Case No. R-80-67

## ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Fursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
County Offices Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 21st day of September, 1979, a copy of the foregoing Order was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III  
John W. Hession, III

RECEIVED  
BALTIMORE COUNTY  
SEP 24 11 57 AM '79  
COUNTY BOARD  
OF APPEALS  
BY:

RE: PETITION FOR RECLASSIFICATION : BEFORE  
from D.R. 5.5 to B.L.  
NW corner Edmondson Avenue : COUNTY BOARD OF APPEALS  
and Winters Lane : OF  
1st District : BALTIMORE COUNTY  
David and Goldia S. Schochet :  
Petitioners : No. R-80-67  
(Item #1)

## OPINION

This case comes before this Board on a request for reclassification of part of a parcel of .9 acre from D.R. 5.5 to B.L. The subject property is located at the north-west corner of Edmondson Avenue and Winters Lane, in the First Election District of Baltimore County.

Testimony in this case indicated that prior to the 1971 comprehensive maps about .2 acre of this parcel was zoned B.L. Due to an error in establishing the zoning lines, the 1971 comprehensive map reduced this B.L. portion to .1 acre. It is, therefore, clear to this Board that at least the .2 acre portion should be zoned B.L. There is presently located on the entire .9 acre parcel two structures, one an apartment and store complex and the other a two apartment-type building. With the B.L. zoning line encompassing .2 acres and the rest D.R. 5.5, and considering the existing buildings in relation to these zoning demarcations, the end result is that there is no practical use for either portion of the parcel under today's standards with these zoning designations.

Stipulations agreed to by all parties present offered a practical solution to this zoning matter and will be made a part of the Order in this case.

## ORDER

For the reasons set forth in the foregoing Opinion, it is this 24th day of October, 1979, by the County Board of Appeals, ORDERED that the subject property, identified on Petitioner's Exhibit #1, a plat by Gerhold, Cross and Etzel dated March 20, 1979, be zoned B.L., except for a strip 20 feet by 207.2 feet long on the north boundary and a strip 20 feet by 155.2 feet long on the west boundary. These two strips are to

David and Goldia S. Schochet - #R-80-67

retain the D.R. 5.5 designation, and are to be used for landscaping purposes to provide a buffer zone between the B.L. zoning afforded the remainder of this parcel and the surrounding D.R. 5.5 areas.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett  
William T. Hackett, Acting Chairman

Patricia Millhouser  
Patricia Millhouser

Leroy B. Spurrier  
Leroy B. Spurrier

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

cc: Gerhold, Cross & Etzel  
412 Delaware Avenue  
Towson, Maryland 21204

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Your Petition has been received and accepted for filing  
this 16th day of May, 1979.

Eric Di Nenna  
S. ERIC DI NENNA  
Zoning Commissioner

Petitioner Schochet  
Petitioner's Attorney John B. Howard Reviewed by Nicholas B. Commodari  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 10, 1979

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Department of  
Public Works  
Public Department  
Public Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No. 1 - Cycle V  
Petitioner - Schochet  
Reclassification Petition

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the northwest corner of Edmondson Avenue and Winters Lane in the 1st Election District, the subject of this Petition, consisting of .82 acres, is zoned D.R. 5.5 and is part of a larger tract of land, which is zoned commercial (B.L.). At the present time, a combination store/dwelling is existing in the B.L. zoned portion of this site, while an apartment building is situated on the remaining D.R. 5.5 zoned area. Adjacent properties to the north, west, and east are similarly zoned residential (D.R. 5.5) and are improved with dwellings, while commercial land exists on the three remaining corners of this intersection.

Because the proposed use of the subject property was not indicated on the submitted site plan, it is impossible for this Committee to make detailed comments concerning this Petition. If said Petition is granted, it should be emphasized that all applicable Baltimore County requirements must be satisfied. In keeping with this and prior to application for the necessary building permits, your surveyor should submit a preliminary plan of the proposed development to be reviewed by this Committee.

Item No. 1 - Schochet  
Page Two  
May 10, 1979

This Petition for Reclassification will be accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be between September 1 and December 31, 1979, will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC/sf

cc: Gerhold, Cross & Etzel  
412 Delaware Avenue  
Towson, Maryland 21204

## BALTIMORE COUNTY

## ZONING PLANS

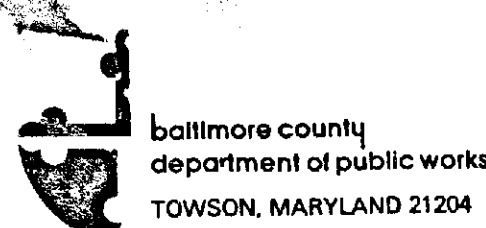
## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS





THORNTON M. MOURING, P.E.  
DIRECTOR

April 26, 1979

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #1 (Cycle V-April - October 1979)  
Property Owner: David & Goldia S. Schochet  
N/W cor. Edmondson Ave. & Winters Lane.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B.L.  
Acres: 0.91 District: 1st

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Edmondson Avenue, a County road, is improved as a 48-foot closed section roadway on a 60-foot right-of-way; no further highway improvements are proposed in this vicinity at this time.

Winters Lane, a public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including a fillet area for sight distance at the intersection of Edmondson Avenue and Winters Lane, and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application or redevelopment of this property.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #1 (Cycle V-April - October 1979)  
Property Owner: David & Goldia S. Schochet  
Page 2  
April 26, 1979

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a public 6-inch water main and 8-inch sanitary sewerage in Winters Lane; and, there are public 12 and 16-inch water mains and 8-inch sanitary sewerage in Edmondson Avenue.

The Petitioner is responsible for the cost of capping and plugging any existing water and sanitary sewer service connections not used to serve any proposed improvements.

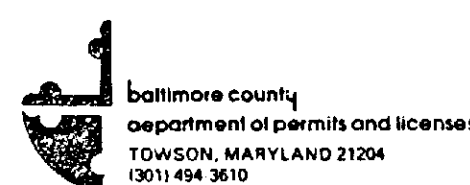
Very truly yours,

*Ellsworth N. Diver*  
ELLSWORTH N. DIVER, P.E.  
Chief, Bureau of Engineering

END:EAM:FWR:ss

H-NE Key Sheet  
8 SW 24 Pos. Sheet  
SW 2 F Topo  
101 Tax Map

cc: J. Trenner



JOHN D. SEYFFERT  
DIRECTOR

April 24, 1979

Mr. S. Eric DiNenna, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item # 1 Zoning Advisory Committee Meeting, Cycle V are as follows:

Property Owner: David & Goldia S. Schochet  
Location: NW/C Edmondson Ave. & Winters Lane  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B.L.

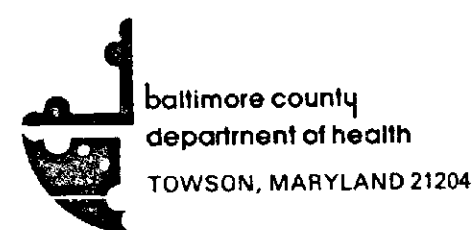
Acres: 0.91  
District: 1st

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.B.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional \_\_\_\_\_ Permits shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal may be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section \_\_\_\_\_.
- X I. ~~As shown~~ Comments: retail stores limited to one story in unprotected wood frame, exception is Section 905.63 to allow the ma and pa type retail sales, if 3/4 hour ceilings and enclosure walls are provided along with separate exitway from residential floors. Other applicable code requirements will of course be applicable and should be researched by the applicants Architect or Engineer.

J. Comments:

Very truly yours,  
*Charles E. Burnham*  
Charles E. Burnham  
Plans Review Chief



DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE AND COUNTY HEALTH OFFICER

May 14, 1979

Mr. Walter Reiter, Chairman  
Board of Appeals  
Court House  
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #1, Zoning Advisory Committee Meeting for Cycle V, are as follows:

Property Owner: David & Goldia S. Schochet  
Location: NW/C Edmondson Ave. & Winters Lane.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B.L.  
Acres: 0.91  
District: 1st

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

Metropolitan water and sewer are available.

Very truly yours,

*Ian J. Forrest*  
Ian J. Forrest, Acting Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJP/JRP/eth



LESLIE H. GRAEF  
DIRECTOR

May 29, 1979

Mr. Walter A. Reiter, Jr., Chairman  
Board of Appeals  
Room 219 - Court House  
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #1, Zoning Cycle V, April 1979, are as follows:

Property Owner: David and Goldia S. Schochet  
Location: NW/C Edmondson Ave. and Winters Lane  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B.L.  
Acres: 0.91  
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

If the petition is granted, a detailed site plan must be submitted to this office before any building permit applications will be approved.

Winters Lane will be required to be widened in accordance with the Bureau of Engineering comments.

Driveways, screening, exterior lighting, parking calculations, and landscaping will be required on the detailed site plan.

The petitioner may contact this office for a checklist for a commercial site plan if there are any questions.

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development



STEPHEN E. COLLINS  
DIRECTOR

May 3, 1979

Mr. Walter A. Reiter, Jr.  
Chairman, Board of Appeals  
Court House  
Towson, Maryland 21204

Item No. 1 - ZAC - Cycle V  
Property Owner: David & Goldia S. Schochet  
Location: NW/C Edmondson Ave. & Winters Lane.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B.L.

Acres: 0.91  
District: 1st

Dear Mr. Reiter:

The existing D.R. 5.5 zoning will generate approximately 55 trips per day. The proposed reclassification to B.L. will generate approximately 455 trips per day.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Engineering Associate II

MSF/hmd

MSF/hmd

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: April 30, 1979

Mr. S. Eric DiNenna  
Zoning Commissioner  
Baltimore County Office Building  
Towson, Maryland 21204

Z.A.C. Meeting of: Cycle V

RE: Item No: 1  
Property Owner: David & Goldia S. Schochet  
Location: NW/C Edmondson Ave. & Winters Lane  
Present Zoning: D.R. 5.5  
Proposed Zoning: B.L.

District: 0.91  
No. Acres: 1st

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative

NSP/bp

JOSEPH N. MCGOWAN, PRESIDENT  
T. RAYMOND WILLIAMS, JR., VICE-PRESIDENT  
MARCUS M. BOTTSBARI

THOMAS H. BOYLE  
MRS. LORRAINE F. CHURCH  
ROGER B. H. HUGHES

ALVIN LONICK  
MRS. MARGARET M. SMITH, JR.  
RICHARD W. TRACY, JR.



Paul H. Heincke  
CHIEF

May 22, 1979

Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: N. Commodari, Chairman  
Zoning Advisory Committee

Re: Property Owner: David & Goldia S. Schochet

Location: NW/C Edmondson Ave. & Winters Lane.

Item No. 1 Zoning Agenda Cycle V

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 2. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. McGehee*  
Noted and Approved: \_\_\_\_\_  
Planning Group, Fire Prevention Bureau  
Special Inspection Division



**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
October 24, 1979

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Md. 21204

Re: Case No. R-80-67  
David and Goldia S. Schochet

Dear Mr. Howard:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secy.

Encl.

cc: David and Goldia S. Schochet  
John W. Hession, III, Esquire  
Mr. J. E. Dyer  
Mr. W. E. Hammond  
Mr. J. D. Seyffert  
Mr. J. G. Hoswell  
Board of Education

CARL L. BERNHOLD  
PHILIP E. CROSS  
JOHN F. ETEL  
WILLIAM E. ULRICH  
EDMONDSON T. LANDSHOF

GERHOLD, CROSS & ETEL  
Registered Professional Land Surveyors  
412 DELAWARE AVENUE  
TOWSON, MARYLAND 21204  
823-470

EVERETT  
PAUL G. HOLLENBERG  
FRED H. DOLLENBERG

March 22, 1979

**Zoning Description**

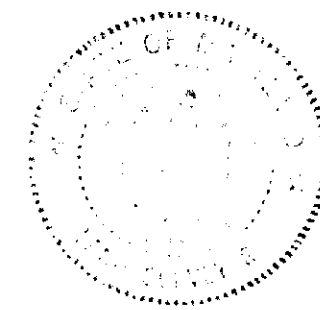
All that piece or parcel of land situate, lying and being in the First Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the north side of Edmondson Avenue with the southwest side of Winters Lane and running thence and binding on the north side of Edmondson Avenue, South 81 degrees 07 minutes West 220.7 feet, thence leaving said avenue and binding on the outlines of the land of the petitioners herein, the two following courses and distances viz: North 27 degrees 36 minutes West 155.20 feet and North 62 degrees 09 minutes East 207.2 feet to the southwest side of Winters Lane and thence binding on the southwest side of said lane, South 28 degrees 06 minutes East 226.9 feet to the place of beginning.

Containing 0.91 of an Acre of land more or less.

Saving and excepting therefrom the parcel of land heretofore zoned Business Local.

Being the property of the petitioners herein as shown on a plat filed in the office of the Zoning Commissioners.



**ITEM NO. 1**

PROPERTY OWNER: David and Goldia S. Schochet  
LOCATION: N/W corner of Edmondson Avenue and Winters Lane  
ELECTION DISTRICT: 1  
COUNCILMANIC DISTRICT: 1  
RECOMMENDED DATE OF HEARING: Week of October 15, 1979  
ACREAGE: 0.82  
GEOGRAPHICAL GROUP: None  
FUNCTIONAL CATEGORY: None

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: D.R. 5.5  
EXISTING ZONING: D.R. 5.5  
REQUESTED ZONING: B.L.

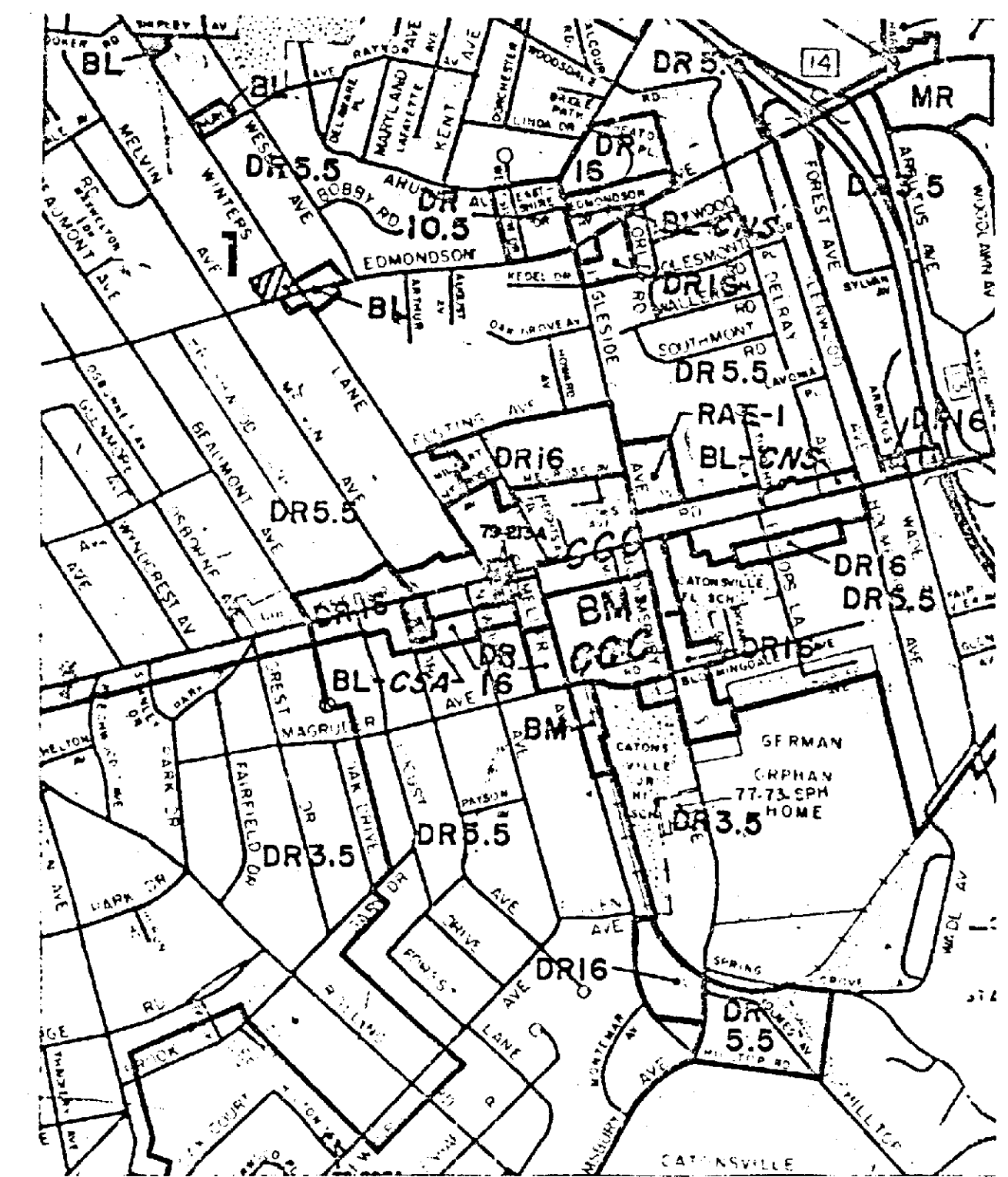
PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (D.R. 5.5)

This parcel of land, containing a multi-family dwelling, is part of a 0.91-acre property located at the northwest corner of Edmondson Avenue and Winters Lane. The remainder of the property, 0.09 acres, is zoned B.L. and contains a grocery store with an apartment on the second floor. To the north, east and west of this site are single-family dwellings on land zoned D.R. 5.5. Also to the east is a church building on B.L. zoned land. To the south, on the opposite side of Edmondson Avenue, is an abandoned service station building that has been converted to retail use and a vacant property, both properties zoned B.L. With the exception of these small parcels of commercially-zoned land, the entire surrounding area is zoned D.R. 5.5.

Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned D.R. 5.5. The preparation and processing of this map covered a period of more than two years, the process was widely publicized, and included numerous public hearings by both the Planning Board and the County Council. B.L. zoning was not requested nor was the aforementioned zoning proposed for the subject property during the entire process. Now the petitioner is requesting a change from D.R. 5.5 to B.L. zoning and has chosen not to submit plans showing a specific use proposed for the property under petition.

The Planning Board believes that D.R. 5.5 zoning is appropriate here and that the zoning map is correct. Recent and new construction of single-family dwellings on D.R. 5.5 zoned land was observed by the planning staff during the routine field inspection of the subject property. Further, it is the Board's opinion that ample commercial opportunities have been provided for in the general area. Finally, the Board believes that there are uses permitted in a B.L. zone that would not be in character with the surrounding residential properties.

It is therefore recommended that the existing zoning, D.R. 5.5, be retained.



LOCATION OF PROPERTY UNDER PETITION  
BASE MAP 2A  
SCALE 1" = 1000'

IN THE MATTER OF THE PETITION  
OF DAVID AND GOLDIE SCHOCHET,  
LEGAL OWNERS, FOR RECLASSIFICATION  
FROM A D.R. 5.5 ZONE TO A B.L.  
ZONE OF PROPERTY CONSISTING OF  
0.91 ACRE LOCATED AT THE N/W  
CORNER OF WINTERS LANE AND  
EDMONDSON AVENUE, 1st ELECTION  
DISTRICT,  
BALTIMORE COUNTY, MARYLAND

BEFORE THE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY

\* \* \* \* \*  
**MEMORANDUM IN SUPPORT OF  
PETITION FOR RECLASSIFICATION**

The subject property, located at the northwest corner of Winters Lane and Edmondson Avenue, consists of 0.91 acre and is improved by a two story, concrete block apartment structure, fronting on Edmondson Avenue, and a two story, frame building serving as a grocery store at the corner of the intersection.

Over the past forty-three years David and Goldie Schochet have operated a neighborhood grocery store serving the immediate residents of the community. During those many years they saw the neighborhood and community undergo many changes but nonetheless continued to provide a unique service to the residents, both old and new, on a very personal basis.

Approaching their mid-sixties, the Schochets had planned to eventually sell their business, which would provide funds for retirement, but had made no specific plans in that respect until recently when a combination of circumstances

dictated that they seek a purchaser at the earliest possible time: they experienced their second robbery within a period of three years; and, advancing years and failing health precluded improvements to the property as well as the energy required for continuation of their business.

Upon seeking advice as to the marketability of their business and property, they were informed that only the store structure itself was located within a commercial zone (B.L.) with the balance of their property being in the residential zone (D.R. 5.5). This information came as a considerable shock in that, in their opinion, they had been paying "commercial taxes" for many years on their entire property and had assumed that the commercial zoning lines at least encompassed the boundaries of their lot, as the remaining three corners of the intersection of Edmondson Avenue and Winters Lane contained commercial zones larger than their property. They were further advised that a commercial purchaser would not be interested in that their zoning did not even permit parking to accommodate the business; and due to the commercial nature of the intersection, a residential developer would not be interested in the portion of their property zoned for that use. Subsequent efforts at sale confirmed this advice.

It is respectfully submitted that the Baltimore County Council erred in the manner in which it designated the

zoning lines on the subject property. Had the Council simply followed property lines, as it apparently did with respect to the other three corners of the intersection, the resulting hybrid nature of zoning and consequent dilemma as to its use could have been avoided. The existing zoning of the subject property defies logic and clearly is not compatible with sound land use objectives.

Studies are currently being conducted by Baltimore County and its related agencies toward revitalization of this area of Catonsville and the need for supportive commercial uses for the community is one of the objectives sought. Failing correction of the zoning on the subject property, it can reasonably be anticipated that the Schochet grocery corner will continue to deteriorate. Corrective zoning, on the other hand, should result in modest commercial uses that will accommodate the needs of the neighborhood and be compatible with the surrounding D.R. 5.5 properties.

For the above reasons, it is urged that the Board correct the error of the Council and reclassify the D.R. 5.5 portion of the Petitioner's property to B.L.

Respectfully submitted,

*John B. Howard*  
John B. Howard  
Attorney for Petitioner

R-80-67

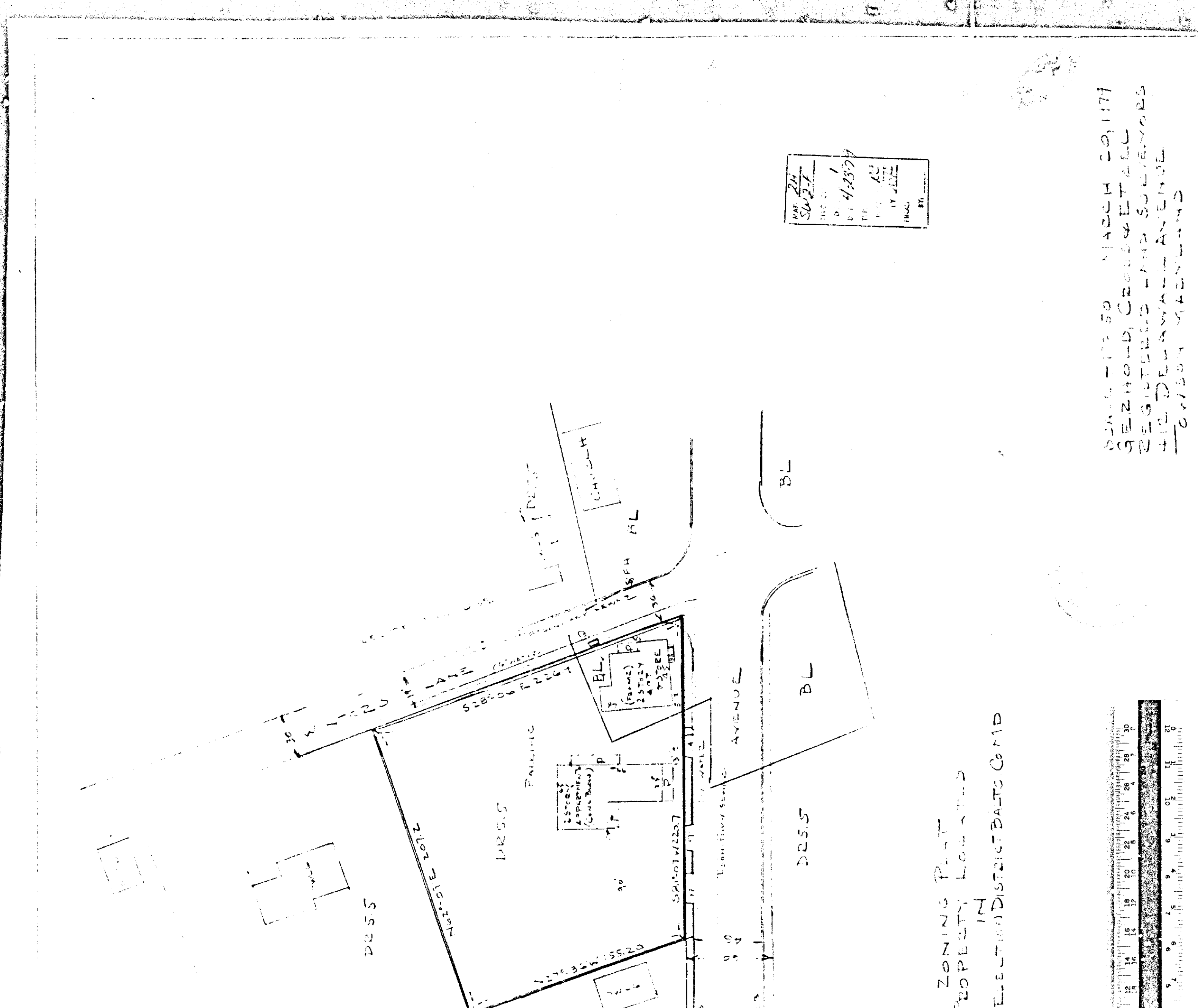
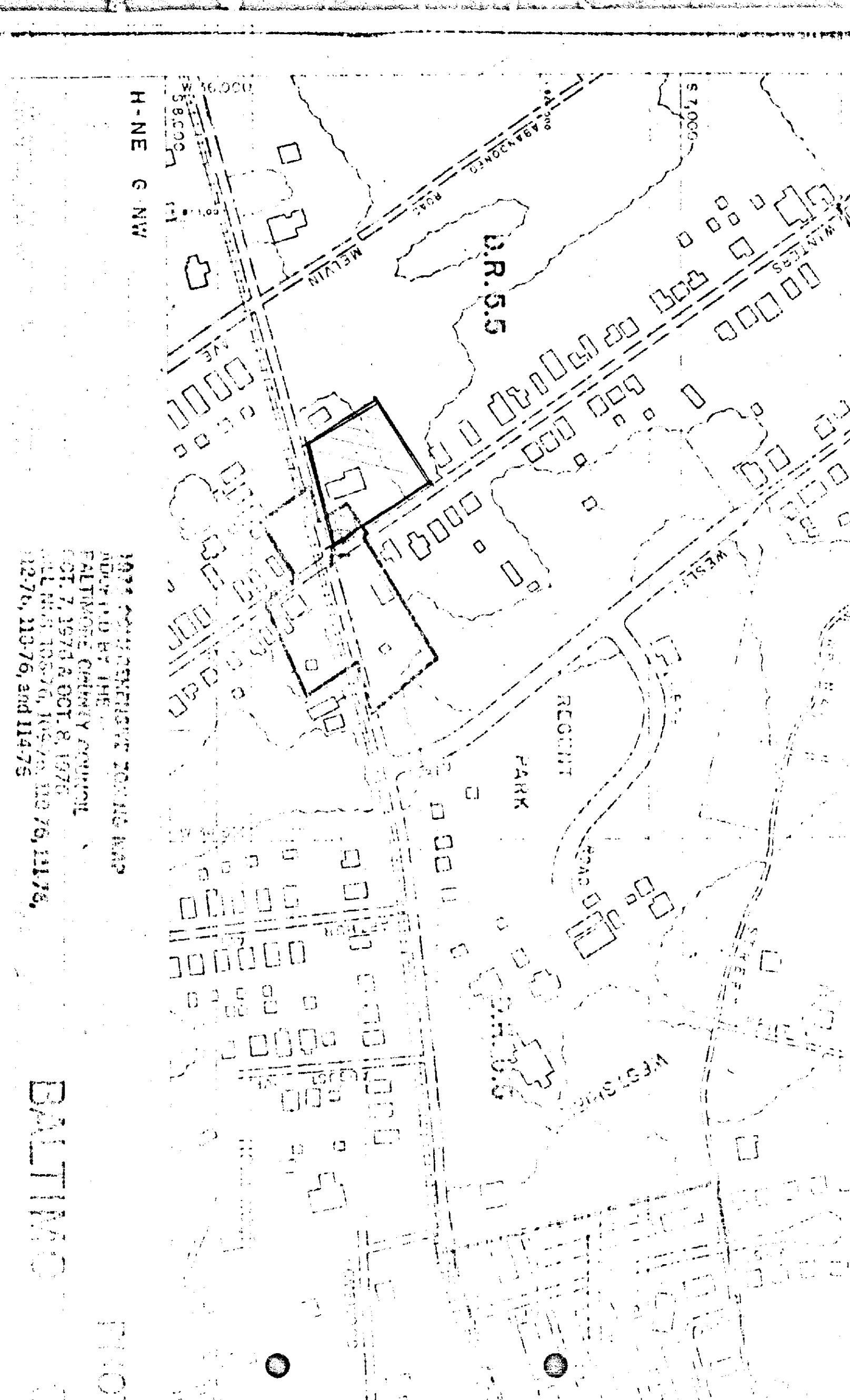
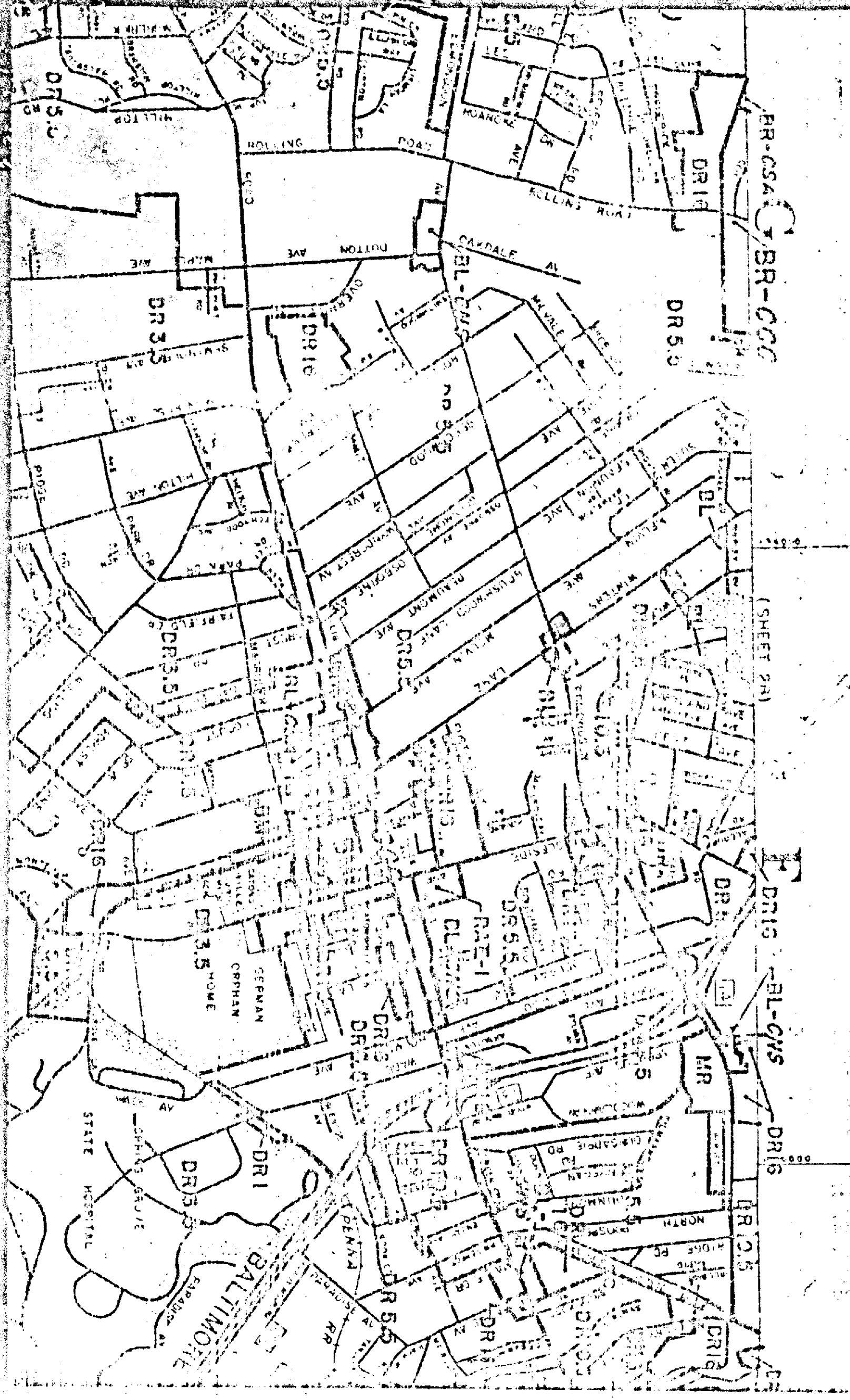
**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 141 Date of Posting: SEPT 22, 1979  
Posted for: PETITION FOR RECLASSIFICATION  
Petitioner: DAVID SCHOCHET ET AL  
Location of property: NW/C EDMONDSON AVENUE AND WINTERS LANE  
Location of Signs: FRONT 902 EDMONDSON AVE  
Remarks: See map in 141  
Posted by: John B. Howard Signature Date of return: SEPT 24, 1979

1-SIGN

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCIAL DESIGN MISCELLANEOUS CASH RECEIPT	No. 83229	DATE: October 15, 1979	ACCOUNT: 01-662	AMOUNT: \$135.55	RECEIVED FROM: Goldie Schochet	FOR: Advertising and Posting for Case No. R-80-67	DATE: September 11, 1979	ACCOUNT: 01-662	AMOUNT: \$50.00	RECEIVED FROM: John B. Howard	FOR: 1011 Fee for Case No. R-80-67	DATE: September 11, 1979	ACCOUNT: 01-662	AMOUNT: \$500.00	RECEIVED FROM: John B. Howard	FOR: 1011 Fee for Case No. R-80-67
VALIDATION OR SIGNATURE OF CARRIER																





SECTION 50, MARCH 20, 1977  
 32ND STREET  
 33RD STREET  
 34TH STREET  
 35TH STREET  
 36TH STREET  
 37TH STREET  
 38TH STREET  
 39TH STREET  
 40TH STREET  
 41ST STREET  
 42ND STREET  
 43RD STREET  
 44TH STREET  
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 99TH STREET  
 100TH STREET

**PETITION FOR RECLASSIFICATION**  
 1st DISTRICT  
 ZONING: Petition for Reclassification from D.R. 5.5 to B.L.  
 LOCATION: Northeast corner of Edmondson Avenue and Winters Lane  
 DATE & TIME: Tuesday, October 9, 1979 at 10:00 A.M.  
 PUBLIC HEARING: Room 218, Courthouse, Towson, Md.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing on the following:

Present Zoning: D.R. 5.5  
 Proposed Zoning: B.L.

All that parcel of land in the First District of Baltimore County, beginning for the same at the corner formed by the intersection of the north side of Edmondson Avenue with the southwest side of Winters Lane and running thence and bounding on the north side of Edmondson Avenue, South 81 degrees 07 minutes West 220.7 feet, thence having said avenue and bounding on the outline of the land of the petitioners, hereby, the two following courses and distances via North 27 degrees 36 minutes East 155.50 feet and North 62 degrees 08 minutes East 307.5 feet to the southwest side of Winters Lane and thence bounding on the southwest side of said Lane, South 28 degrees 06 minutes East 208.5 feet to the place of beginning.

Containing 0.91 of an Acre of land more or less.

Saving and excepting therefrom the parcel of land heretofore owned by Business Local.

Being the property of David Schochet, et al., as shown on plat filed with the Zoning Department.

Hearing Date: Tuesday, October 9, 1979 at 10:00 A.M.

Public Hearing: Room 218, Courthouse, Towson, Md. 21204.

By Order of  
 WALTER A. REITER, JR.,  
 Chairman  
 County Board of Appeals of Baltimore County  
 Sept. 20.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., September 20, 1979.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~the~~ 21st day of October, 1979, the 21st publication appearing on the 20th day of September, 1979.

THE JEFFERSONIAN  
 S. Lusk Smith  
 Manager.

Cost of Advertisement, \$.....

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By Order of  
 WALTER A. REITER, JR.,  
 Chairman  
 County Board of Appeals of Baltimore County  
 Sept. 20.

**OFFICE OF THE TIMES NEWSPAPERS**

TOWSON, MD. 21204 September 20 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - David Schochet, was inserted in the following:

☒ Catonsville - Times ☐ Arbutus Times  
☐ Essex Times ☐ Community Times  
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 21st day of September, 1979, that is to say, the same was inserted in the issues of September 20, 1979.

STROMBERG PUBLICATIONS, INC.  
 BY Esther Burger



ALL INFORMATION PLANNED  
 EXCEPTED FROM B.L.  
 EXCEPTED FROM B.L.

